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REMARKS

Claims 3-5, 12, and 15 are pending in the instant application after this amendment cancels withdrawn claims 1, 2, 6-11, 13, 14, and 16. Claims 3, 5, and 12 are amended herein to correct typographic errors and/or to clarify the subject matter recited therein. No new matter is added. In view of the amendments and the following remarks, Applicants respectfully request reconsideration of the present application.

Claims 3-5, 12, and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,870,468 to Harrison in view of U.S. Patent Publication No. 2002/0073312 to Adiano et al. (hereinafter referred to as Adiano). Applicants respectfully traverse.

Claim 3 relates to a method carried out in an information processing system that includes, *inter alia*, reading an original version of management information, ***stored on a data storage device to be verified***, and a first and a second encrypted version of the management information, ***the management information identifying the data storage device***, and decrypting the first and the second encrypted version of the management information, the first and the second encrypted versions of the management information system being encrypted by different encryption keys. The method of claim 3 also includes ***comparing the original version of the management information and the respective first and second decrypted versions of the management information***. In claim 3, ***the data storage device subjected to verification is determined as valid when the comparison result indicates that the original version of the management information and both the respective first and second decrypted management information are in a predetermined relationship with each other.***

The Examiner asserts that Harrison discloses all of the features of claim 3 except that the keys being compared and validated ***identify the data storage device*** (Office Action; page 4, lines

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3-4). Harrison is apparently concerned with the protection of *files* on a disk (Harrison; Abstract), and relates to the verification of *files* stored on a data storage device using an encryption and decryption scheme. Since Harrison does not disclose or suggest management information relating to a data storage device, Harrison does not disclose or suggest many of the features which the Examiner still cites to Harrison as allegedly disclosing. For instance, the Examiner relies on Harrison at col. 5, line 5 and claim 8, element g, as disclosing the comparing operation in which the original version of the management information is compared with the respective first and second decrypted management information (Office Action; page 3, lines 12-14). However, the most recent amendment clarified that the *management information identifies the data storage device*, and it does not appear that Harrison discloses or suggest a comparison between versions of management information that identify a data storage device. Therefore this feature is not disclosed or suggested in any of the references.

Furthermore, as mentioned above, the Examiner admits that Harrison does not explicitly disclose that the keys compared and validated identify the data storage device. Harrison does not disclose or suggest management information identifying a data storage device. More particularly, neither reference discloses or suggests that *the data storage device subjected to verification is determined as valid when the comparison result indicates that the original version of the management information and both the respective first and second decrypted management information are in a predetermined relationship with each other*. Harrison apparently discloses verifying files, whereas Adiano apparently discloses verifying a software application sent via email. The Examiner asserts that Adiano discloses reading stored hard drive serial numbers, decrypting encrypted serial numbers, comparing the serial number with the current serial number, and allowing access (Office Action; page 4, lines 4-7; citing Adiano; para. 0032 and

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figure 10). However, Adiano is apparently only concerned with the copy protection of an application program downloaded via an e-mail system and does not teach or suggest *validating a data storage device itself*. The management information recited in the claims of the present application are not ordinary data files, but are identifiers of the data storage device. The present invention has the advantage discussed in the Specification of providing a verifiable identifier of a data storage device for purposes of identifying the production lot where a defective product originated for purposes of quality control and/or service (Specification; page 1, lines 13-15). The Examiner apparently relies on Harrison as disclosing the feature that the data storage device subjected to verification is determined as valid when the comparison result indicates that the original version of the management information and both the respective first and second decrypted management information are in a predetermined relationship with each other (Office Action; page 3, lines 15-19; citing Harrison; claim 8, element h; claim 2, element 26; and col. 1 line 52 to col. 2, line 32). However, none of these cited sections disclose a data storage device being verified by comparison of management information and two versions of decrypted management information. For instance, claim 8, element h of Harrison states only "h. decrypting any *file* of said set of *files* that an application program attempts to open if said latter two unscrambled versions of said encryption key match" (Harrison; col. 8, lines 27-29; emphasis added). Therefore Harrison does not disclose or suggest that the *data storage device subjected to verification is determined as valid when the comparison result indicates that the original version of the management information and both the respective first and second decrypted management information are in a predetermined relationship with each other*. Likewise, Adiano does not disclose or suggest this feature. Therefore, for at least this additional reason, claim 3 is allowable.

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Additionally, the Examiner asserts that it would have been obvious to combine the references "because they are analogous in data protection" and "[o]ne would have been motivated to incorporate the teachings of device identifier comparison within the system of Harrison because it would validate the integrity of the device name stored on the storage and prohibit unauthorized alteration of the device name in the storage" (Office Action; page 4, lines 9-13). This motivation does not appear to be based on either of the references, and therefore appears to result from improper hindsight reasoning. The Federal Circuit has held that there must be "findings as to the specific understanding or principle within the knowledge of a skilled artisan that would have motivated one with no knowledge of [the] invention to make the combination *in the manner claimed*." (*In re Kotzab*, 217 F. 3d 1365, 1371 (Fed. Cir. 2000); emphasis added). There is no motivation to combine the references, and no suggestion as to the manner in which the two references should be combined. Therefore the rejection based on the combination should be withdrawn.

Each of the independent claims includes the feature that the management information identifies the data storage device, and therefore for at least the same reasons claim 3 is allowable, the other independent claims are also allowable.

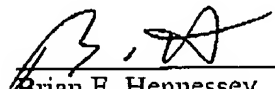
All of the dependent claims are allowable for at least the same reasons as the independent claim from which they depend.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

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Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



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